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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
PETER ANDREW WONG,  
  
Defendant.

CR No.: CR No. 06-0732 EMC

STIPULATION AND ~~PROPOSED~~  
ORDER EXCLUDING TIME

On December 6, 2006, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from December 6, 2006 to February 7, 2007 for effective preparation of counsel, in that defense counsel required adequate time to supply the United States with information that may impact the outcome of the case and that the United States required adequate time to evaluate the information. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of both

1 defense counsel and the United States, taking into account the exercise of due diligence. See 18  
 2 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting  
 3 such a continuance outweighed the best interests of the public and the defendant in a speedy  
 4 trial. See 18 U.S.C. § 3161(h)(8)(A).

5 SO STIPULATED:

6 KEVIN V. RYAN  
 United States Attorney

7  
 8 DATED: 01/19/07 \_\_\_\_\_

/s/ Derek R. Owens

9 DEREK R. OWENS  
 Special Assistant United States Attorney

10 DATED: 01/29/07 \_\_\_\_\_

/s/ Steven Kalar

11 STEVEN KALAR  
 Attorney for Mr. Wong

12  
 13 As the Court found on December 6, 2006, and for the reasons stated above, the Court finds  
 14 that the ends of justice served by the continuance outweigh the best interests of the public and  
 15 the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act  
 16 calculations from December 6, 2006 to February 7, 2007 for effective preparation of defense  
 17 counsel and the United States. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the  
 18 requested continuance would deny counsel reasonable time necessary for effective preparation  
 19 and continuity of counsel, taking into account the exercise of due diligence, and would result in a  
 20 miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

21  
 22 SO ORDERED.

23 DATED: January 31, 2007

24   
 EDWARD M. CHEN  
 United States Magistrate Judge